

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Kazuhiro Gono	Examiner:	Sanjay Cattungal
Serial No.:	10/534,921	Art Unit:	3768
Filed:	May 9, 2005	Docket:	18871
For:	IMAGING APPARATUS	Dated:	September 5, 2008
Conf. No.:	1792		

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 23313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

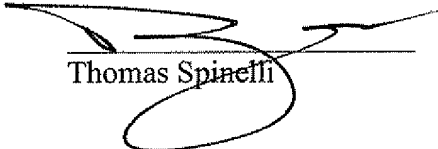
In accordance with 37 C.F.R. §§ 1.97 and 1.98, it is requested that the following references, which are also listed on the attached Form PTO-1449, be made of record in the above-identified case.

1. Backman, V., et al., "Measuring Cellular Structure at Submicrometer Scale with Light Scattering Spectroscopy", IEEE Journal on Selected Topics in Quantum Electronics, Vol. 7, No. 6, November/December 2001, pp. 887-893;
2. Gurjar, R., et al., "Imaging human epithelial properties with polarized light-scattering spectroscopy", Nature Medicine, Vol. 7, No. 11, November 2001, pp. 1245-1248; and
3. International Publication No. WO 99/18845 published April 22, 1999.

CERTIFICATE OF ELECTRONIC FILING

I hereby certify that this correspondence is being deposited with the United States Patent & Trademark Office via Electronic Filing through the United States Patent and Trademark Office e-business website on the date set forth below.

Dated: September 5, 2008

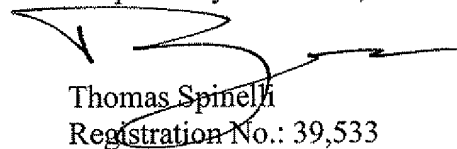

Thomas Spinelli

The references were cited in Supplementary European Search Report dated August 8, 2008. Applicant is submitting copies of the above-cited references required by 37 C.F.R. 1.98 (a)(2)(i) and (ii), together with a copy of the Search Report. Please note that the other reference cited in the Search Report, namely, Backman, V., et al., "Polarized Light Scattering Spectroscopy for Quantitative Measurement of Epithelial Cellular Structures *In Situ*", IEEE Journal of Selected Topics in Quantum Electronics, Vol. 5, No. 4, July/August 1999, pp. 1019-1026 was previously submitted in applicants' Information Disclosure Statement dated May 9, 2005.

Further, the undersigned hereby states that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

Further, inasmuch as this Information Disclosure Statement is also being submitted in accordance with the schedule set out in 37 C.F.R. § 1.704(d), a statement is attached.

Respectfully submitted,



Thomas Spinel
Registration No.: 39,533

Scully, Scott, Murphy & Presser, P.C.
400 Garden City Plaza, Suite 300
Garden City, New York 11530
(516) 742-4343
TS: cm

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STATEMENT PURSUANT TO 37 C.F.R. §1.704(d)

Sir:

I hereby state that each item of information contained in the Information Disclosure Statement submitted herewith was first cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

CERTIFICATE OF ELECTRONIC FILING

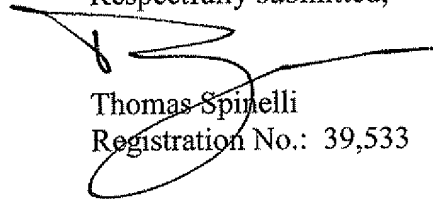
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Dated: September 5, 2008


Thomas Spinelli

Therefore, the Information Disclosure Statement submitted herewith cannot be considered a failure to engage in reasonable efforts to conclude prosecution of the application under paragraphs (c)(6), (c)(8), (c)(9), or (c)(10) of 37 C.F.R. §1.704.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Thomas Spinelli', is written over the printed name and registration number.

Thomas Spinelli
Registration No.: 39,533

Scully, Scott, Murphy & Presser, P.C.
400 Garden City Plaza, Suite 300
Garden City, New York 11530
(516) 742-4343
TS:cm